

PALE UNIVERSITY
1912
177-15
Commonwealth of Pennsylvania.

THE LUNACY LAW

WITH THE

RULES AND REGULATIONS

OF THE

Committee on Lunacy

OF THE

BOARD OF PUBLIC CHARITIES,

ORDAINED

WITH CONSENT OF THE

CHIEF JUSTICE OF THE SUPREME COURT AND THE ATTORNEY
GENERAL OF THE COMMONWEALTH OF PENNSYL-
VANIA, AS PROVIDED BY LAW.

REVISED AND APPROVED NOVEMBER 4TH, 1910.

REVISED EDITION.

HARRISBURG:

C. E. AUGHINBAUGH, PRINTER TO THE STATE OF PENNSYLVANIA

1911

1511

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OF THE

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Board of Public Charities.

REVISED EDITION

COMMITTEE ON LUNACY.

ISAAC JOHNSON, P. J., MEDIA,

CHAIRMAN

GEORGE W. RYON, SHAMOKIN.

PATRICK C. BOYLE, OIL CITY.

CYRUS B. KING, M. D., PITTSBURGH

EDWARD K. ROWLAND, PHILADELPHIA

FRANK WOODBURY, M. D.,

SECRETARY

OFFICE OF COMMITTEE ON LUNACY,

717-718 Bulletin Building, Corner of Juniper and Filbert streets,
Philadelphia, where all communications relating to the in-
sane (public or private patients) should be addressed.



Hist
RC445
P4
P46
1911
locked

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PART I

THE LUNACY LAW

OF 1883,

As Amended by the Act of May 7, 1889, and as Further Amended by a Supplement passed at the General Assembly of 1893,

ALSO

- An act supplementing the Act to Create a Board of Public Charities, requiring Records to be kept and Returns to be made. Approved April 25, 1872.
- An act to provide for the custody of insane persons charged with and acquitted, or convicted, of crime. Approved May 14, 1874.
- An Act to Provide for the Better Protection of Female Insane Patients in Transit; the same as Amended by the Act of May 27, 1897.
- An Amendment to an act to Provide for the Commitment of Persons Habitually Addicted to the use of Alcohol, Drugs, etc. Approved May 28, 1907.
- An act providing for the return of paupers and indigent insane persons not having a legal settlement within this Commonwealth, to any other state or country to which they may belong. Approved June 22, 1897.
- An act in relation to aiding an inmate of any of the State institutions of this Commonwealth to escape. Approved June 23, 1897.
- An act authorizing the Committee on Lunacy to Transfer Inmates from One State Hospital to another State Hospital for the Insane. May 1, 1907.
- An act to Provide for the protection of Insane Persons, etc., and the Appointment of a Guardian. Approved May 28, 1907.
- An act to Provide for the Employment of the Insane. Approved May 28, 1907.
- An act Relating to the Indigent Insane in Poor Districts and Providing the same Allowance for their Treatment as is given by the Commonwealth to State Hospitals, etc. Approved May 13, 1909.
- An act to Amend an act Approved May 25, 1897, increasing the rate in County and Local Institutions. Approved May 13, 1909.
- An act permitting the release on parole of persons acquitted on the ground of insanity, etc. Approved May 11, 1911.
- An act authorizing the establishment and maintenance of Psychopathic Wards in general hospitals, &c. Approved June 9, 1911.

PART II

THE RULES AND REGULATIONS

OF THE

COMMITTEE ON LUNACY

ADOPTED AND ORDAINED BY THE BOARD OF PUBLIC CHARITIES AND
BY THE CHIEF JUSTICE AND ATTORNEY GENERAL
OF PENNSYLVANIA

APPROVED NOVEMBER 4, 1910



PART I

THE LUNACY LAW

AN ACT

Relative to the Supervision and Control of Hospitals or Houses in which the Insane Are Placed for Treatment or Detention.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Board of Public Charities shall have the supervision over all houses or places in which any person of unsound mind is detained whenever the occupant of the house or person having charge of the lunatic receives any compensation for the custody, control, or attendance other than as an attendant or nurse, and also of all houses or places in which more than one such person is detained with or without compensation paid for custody or attendance.

Supervision of insane by Board of Public Charities.

Section 2. There shall be three additional members added to the Board of Public Charities, one of whom shall be a member of the bar of at least ten years' standing and one a practising physician of at least ten years' standing: The three additional members shall be appointed by the Governor, and confirmed by the Senate, after the passage of this act, for a term of five years, or upon any vacancies occurring by death or resignation for the unexpired term of such appointment, or on expiration of term of service, and the Governor upon sufficient cause may, in his discretion, remove any member from the office.

Governor to appoint three additional members for a term of five years.

Vacancies and Removals.

Section 3. The Board shall appoint a committee of five to act as the Committee on Lunacy. The two professional members appointed under this act shall be members of that committee, and three members shall constitute a quorum. The committee shall choose a chairman and secretary to serve for the current year and annually thereafter in November. The secretary

Committee on Lunacy.

Chairman and Secretary.

shall receive an annual salary of three thousand dollars, with necessary incidental expenses to be accompanied with proper vouchers, payable quarterly by the State Treasurer, and he may be removed at the pleasure of the Board of Public Charities.

Duties of the
Committee on
Lunacy.

Section 4. The Committee on Lunacy herein provided for shall examine for themselves, or through their secretary, and report annually to the Board on or before the first day of November into the condition of the insane in this State, and the management and conduct of the hospitals, public and private almshouses, and all other places in which the insane are kept for care and treatment or detention, and it shall be the duty of the officers and others respectively in charge thereof to give such committee and their secretary at all times free access to the insane, and full information concerning them and their treatment therein.

Section 5
(repealed).

[Section 5. The said Committee on Lunacy are empowered and required to execute, through themselves or their secretary, all the provisions of this act which pertain to their office as set forth therein, and shall direct their secretary accordingly, and shall also, with the consent of the Board, make such other rules and regulations for their own government and that of their secretary as are not inconsistent with the provisions of this act. Repealed May 7, 1889.]

Reports are to
be published with
the Report of
Board.

Section 6. The report of the said Committee on Lunacy shall be published annually with that of the Board of Public Charities.

Rules and Regula-
tions to be or-
dained.

Section 7. The Board shall have power from time to time, with the consent of the Chief Justice of the Supreme Court and of the Attorney General, to ordain rules and regulations on the following matters so far as the same are not inconsistent with any laws of this Commonwealth then in force and of any provisions of this act:

When Licenses
shall be required.

(1.) The licensing of all houses or places in which any person can be lawfully detained as a lunatic or of unsound mind, upon compensation paid to or received by the owner or occupant of such house or place, directly or indirectly, for the care of such lunatic, and also of all houses or places in which more than one person of unsound mind is detained or resides, provided, that this clause shall not extend to any gaol or prison, and provided also, that the Board with con-

Jails and prisons
exempted from
license.

sent as aforesaid, may from time to time exempt any particular hospital established by the State, or under any municipal authority or any eleemosynary institution, from the obligation to apply for or obtain a license, and no such institution now existing shall be required to take out a license until required to do so by the Board, with the consent aforesaid.

Exceptions.

(2.) Regulations to insure the proper treatment of persons detained in any house or place, whether licensed or not, that are subject to the provisions of this act, and to guard against improper or unnecessary detention of such persons.

Treatment and detention of patients.

(3.) Regulations of the forms to be observed, warranting the commitment, transfer of custody and discharge of all lunatics, other than those committed by order of a court of record, and as to these, with the consent of the presiding judge of the court, under whose order the person is detained.

Forms for Commitment, etc.

(4.) The visitation of all houses or places licensed under this act, or in which any persons are detained as lunatics, and of all persons detained therein.

Visitation.

(5.) The withdrawal of such licenses and the imposition of conditions under which they shall continue.

Withdrawal of licenses.

(6.) Reports and information to be furnished by the manager or managers of all houses or places subject to the provisions of this act and by the boards of visitors.

Information to be furnished.

(7.) Regulations as to the number of persons that may be detained and the accommodations to be provided, and food, clothing, fuel to be furnished in any house or building, subject to the provisions of this act, the manner of such detention, and the restraints imposed, the means of communication by those detained with relatives, friends, and other persons outside the houses and places of detention.

Detention and accommodations to be regulated.

Section 8. There shall be appointed Boards of Visitors of all houses or places licensed under this act, or in which any person of unsound mind is detained, and for the care and custody of whom compensation of any kind is received, or where more than one such person is detained. One such board shall be appointed in every county in which there is a house or place subject to the provisions of this act, of not less than three persons, and in each county where there are more than one such house or place, the number constituting the board of visitors of such county shall be increased in the discretion of the Committee on Lunacy.

Boards of Visitors to be appointed.

How appointed.

Section 9. The members of the Board of Visitors shall be appointed by the Board in each year, and shall continue until their successors are appointed, and the Board may remove the Visitors and fill vacancies in the office.

Women visitors.

Section 10. Women may be appointed members of the Boards of Visitors, and at least once a year these boards shall be filled up so that members who have failed to act shall be removed.

Keeping house or place for insane without license constitutes a misdemeanor.

Section 11. It shall not be lawful for any person or persons or corporation, not exempted from the obligation to obtain a license under this act, to keep or maintain a house or place for the reception or custody of persons of unsound mind, without having received a license under this act, nor when such license has expired or been withdrawn or suspended, and the manager and occupant of any such house within which more than one person shall be detained as being a person of unsound mind for compensation received, and the manager and occupant of any such house or place wherein more than one person is received and detained, with or without compensation, and while there is no license in force authorizing the keeping of such house or place, shall be deemed guilty of a misdemeanor

Penalty for violating Rules and Regulations.

Section 12. Any person having charge or control of any house or place subject to the provisions of this act, used for the detention, care or custody of a lunatic, who shall violate, or omit to observe, any regulation of the Committee on Lunacy authorized by this act after a copy of the same has been left at the said house or place or delivered to the person named in the license or to the manager of such house, shall be deemed guilty of a misdemeanor, and all common law rights of action or indictment are also reserved.

Visitation provided for.

Section 13. The Board of Public Charities shall, from time to time, provide for an effectual visitation of all persons confined as insane, in all places over which they are given jurisdiction by this act, and an inspection of such houses or places of confinement and of the mode of treatment of the insane.

Rules for admission of visitors to patients.

Section 14. And the Board shall make rules to insure to the patients the admission of all proper visitors being members of their family, or personal friends, agents, or attorneys, and compel obedience to such regulations.

Section 15. The detention of any person as insane in any house or place made subject to the provisions of this act, without compliance with the requisitions of this act, shall be a misdemeanor on the part of any person concerned in such detention, who has omitted or permitted the omission of any of the requirements, and the party aggrieved shall also be entitled to his action for damages.

Unlawful detention.

Section 16. No verdict or judgment shall be entered in any action, nor shall any judgment be entered on any indictment for such detention as against any person or persons who are subject to the regulations and provisions of this act, who shall have complied with the requirements of this act, unless the judge, after trial and verdict, shall certify that there was proof to his satisfaction that the party charged acted with gross negligence, or corruptly, or that he acted without reasonable or probable cause, or was actuated by motives other than the good of the person restrained.

Proof required .

Section 17. In all buildings or establishments where an insane person is detained, which are subject to the provisions of this act, there shall be kept the following books which shall be at all times open to the inspection of any member of the Committee on Lunacy or the Board of Visitors of the proper county:

Books of Record.

An Admission Book.

A Discharge Book.

A Case Book, in which there shall be regularly entered all the facts bearing on each patient and his case.

A Medical Journal, in which there shall be, at least once a week, a statement written of all matters which are of special importance, bearing on the treatment and condition of the patients.

Section 18. No person shall be received as a patient for treatment or for detention into any house or place where more than one insane person is detained, or into any house or place where one or more insane persons are detained for compensation, without a certificate signed by at least two physicians resident in this Commonwealth, who have been actually in the practice of medicine for at least five years, both of whom shall certify that they have examined separately the person alleged to be insane, and after such an examination had, do verily believe that the person is insane, and that the

Patients not to be received except by Physicians' certificate.

disease is of a character which in their opinion requires that the person should be placed in a hospital or other establishment where the insane are detained for care and treatment, and that they are not related by blood or marriage to the person alleged to be insane, nor in any way connected as a medical attendant or otherwise with the hospital or other establishment in which it is proposed to place such person.

Judge or Magistrate must certify signatures.

Section 19. The certificate above provided for shall have been made within one week of the examination of the patient and within two weeks of the time of the admission of the patient, and shall be duly sworn to or affirmed before a judge or magistrate of this Commonwealth and of the county where such person has been examined, who shall certify to the genuineness of the signatures and to the standing and good repute of the signers. And any person falsely certifying as aforesaid, shall be guilty of a misdemeanor and also liable civilly to the party aggrieved.

Orders for detention must state that it is for patient's benefit.

Section 20. No person alleged to be insane shall be received into any house for treatment or for detention, unless at the time of such reception the person or persons at whose instance the person is received, shall, by a writing signed, state that the person has been removed and is to be detained at his or her request, under the belief that such detention is necessary and for the benefit of the insane person.

Statement of facts required.

Section 21. There shall also be delivered to the person or persons having supervision or charge of the house, a written statement of the following facts relative to the person to be detained, signed by the person or persons at whose instance the insane person has been removed and detained, or if the facts be not known, it shall be so stated:

- (1.) The name.
- (2.) Age.
- (3.) Residence for the past year or for so much thereof as is known.
- (4.) Occupation, trade or employment.
- (5.) Parents, if living.
- (6.) Husband or wife.
- (7.) Children.
- (8.) Brothers and sisters, and the residence of each of these persons.

(9.) If not more than one of these classes is known, the names and residences of such of the next degree of relatives as are known.

(10.) A statement of the time at which the insanity has been supposed to exist, and the circumstances that induce the belief that insanity exists.

(11.) Name and address of all medical attendants of the patient during the last two years.

Section 22. Should the person in charge of the house have reason to believe that any of these statements have been omitted through ignorance, and that the answers will be immediately furnished, and no reason existing to doubt the good faith of the parties after inquiring of the person intended to be detained, it shall be lawful to detain the person alleged to be insane for such further period as shall be necessary to obtain the said statements complete, but not exceeding seven days.

Seven days allowed to complete information.

Section 23. Within twenty-four hours after any person is received into any house for detention as an insane person, the person in charge there shall enter or have entered, in a book kept for that purpose, all the facts stated in the certificate or documents required to be exhibited at the time of receiving the patient, and shall file the originals and preserve them. The regular medical attendant of the house shall, within twenty-four hours after the reception of any patient, examine such patient, and reduce to writing the results of such examination, and enter the same upon a book to be kept for that purpose, together with the opinion formed from such examination and from the documents received with the patient.

Examination and record of patient by medical attendant.

Section 24. In case the said medical attendant is of the opinion that the detention is not necessary for the benefit of the patient, he shall notify the person or persons at whose instance the patient is detained, and unless such person shall, without a delay not exceeding seven days, exhibit satisfactory proof of such necessity, the patient shall be discharged from the house and restored to his family or friends.

Patient to be discharged if detention is deemed unnecessary for his benefit.

Section 25. At the time of such examination, the medical attendant shall himself cause the patient distinctly to understand, if he or she is capable of doing so, that if he or she desires to see or otherwise communicate with any person or persons, means will be provided for such interview or communication, and said at-

Patient to be informed of right to interview, or communicate with friends.

tendant shall personally see that proper means are taken to communicate this fact to the person or persons indicated by the patient, and any proper person or persons, not exceeding two, shall be permitted to have a full and unrestrained interview with the patient.

Statements to be sent to Committee on Lunacy within seven days.

Section 26. The statements furnished at the time of the reception of the patient (and at the examination of the patient by the medical attendant of the house) shall be forwarded by mail to the address of the Committee on Lunacy within seven days from the time of the reception of the patient, which shall by them be entered in a book, which they shall keep for this purpose, and at least once in six months there shall be a report made by the medical attendant of the house on the condition of each patient, together with such other matters relative to the case as the said committee may require, and at any time such report shall be made upon the request of the secretary of the Committee on Lunacy.

Attendance by outside medical practitioners subject to sanction of court and consent of physician in chief.

Section 27. During the detention of any person as insane, any medical practitioner designated by him or by any member of his family, or "near friend," with the sanction of a judge of a court of record of the county in which such insane person resides at the time of his removal and detention, shall be permitted, at all reasonable hours, to visit and examine the patient, and such medical attendant shall, unless objected to by the patient, be permitted, by request of his or her family, or "near friend," and with the consent of the physician in chief of the establishment, to attend the patient for all maladies other than insanity in the same manner as if the patient were in his own home.

Right of patients to correspondence.

Section 28. All persons detained as insane shall be furnished with materials and reasonable opportunity, in the discretion of the superintendent or manager, for communicating under seal with any person without the building, and such communication shall be stamped and mailed. They shall have the unrestricted privilege of addressing communications, if they so desire, not oftener than once a month, to any member of the Committee on Lunacy.

The criminal insane not included in this act.

Section 29. The provisions of this act, in respect of the admission or discharge of patients, shall not extend to insane criminals in custody. Such persons shall not

be received except when delivered by a sheriff of the county, or his deputy, together with an order of the court of the county in which he was arrested or convicted, having jurisdiction of the offense under seal of the court, and signed by a law judge. Nor shall such criminals be discharged from a hospital or other place of detention for the insane, saving on a like order and to the sheriff, or his deputy, producing such order, and while detained as an insane person, such criminal shall be so kept as to insure his detention until duly discharged. Whenever any person, detained in any gaol or prison, is insane, or in such condition as to require treatment in a hospital for the insane, it shall be the duty of any law judge of the court, under whose order the person is detained, upon application, to direct an inquiry into the circumstances, either by a commission or otherwise, as he shall deem proper, with notice to the Committee on Lunacy, and if the judge shall be satisfied that the person confined requires treatment in a hospital, he shall thereupon direct the removal of the said person from the gaol or prison to a state hospital, which order shall be executed by the sheriff of the county, or his deputy, and the actual expenses of such removal and the expense of maintaining the person in the hospital, shall be paid by the county liable for the maintenance of the said person in the gaol or prison from which he is removed.

Insane criminals
to be committed
by Court.

Criminal insane
to be sent to a
State hospital.

Expenses to be
borne by respect-
ive counties.

Section 30. The trustees, managers and physicians of any hospital in which a criminal is confined by order of any court, or in which a lunatic has been committed after an acquittal of crime, shall not discharge, release, or remove the prisoner or lunatic without the order of a court of competent jurisdiction, and in case such lunatic, whether a convict or acquitted, is not set at large, but is to be removed to any place of custody other than a hospital, the order for removal shall not be made without notice to the Committee on Lunacy, and time given them to investigate the case and be heard on the application.

Order of Court
required for
discharge of
criminal insane.

Section 31. All persons that have been detained as insane, (other than criminal insane, duly convicted and sentenced by a court), shall, as soon as they are restored to reason and are competent to act for themselves, in the opinion of the medical attendant of the house, be forthwith discharged, and any person so de-

Patients after
recovery shall be
discharged.

Right of Habeas
Corpus.

tained shall at all times be entitled to a writ of habeas corpus for the determination of this question, and on the hearing, the respondent in that writ shall be required to pay the costs and charges of the proceedings, unless the judge shall certify that there was sufficient ground in his opinion to warrant the detention and put the petitioner to his writ. In case the discharged patient be in indigent circumstances, such person shall be furnished with necessary raiment and with funds sufficient for sustenance and travel to his home, to be charged to the county from which such patient was committed.

Clothing and
traveling expenses
at expense of
county.

Discharges to be
reported.

Section 32. The Committee on Lunacy shall be notified of all discharges within seven days thereafter, and a record of the same shall be kept by the committee.

Committee on
Lunacy may compel
the discharge
of patients after
due notice.

Section 33. The Committee on Lunacy may, at any time, order and compel the discharge of any person detained as insane, (other than a person committed after trial and conviction for crime, or by order of court); but such order shall not be made, unless notice be given to the person having charge of the building in which the patient is detained, and to the person or persons at whose instance the patient is detained, and reasonable opportunity given them to justify a further detention, and the committee shall not sign an order of discharge unless they have personally attended and examined the case of the patient.

Voluntary
commitment.

Section 34. Persons voluntarily placing themselves in any of the houses provided for in this act, and who may be suffering from nervous diseases, threatening mental disorder, may be received for a period of one month or less, by an agreement, which shall also specify the time, signed by them at the time of admission, and they may renew said agreement at the end of one month, but no agreement shall be deemed to authorize their remaining, unless signed in the presence of some adult person attending as a friend of the person applying in the presence of and also by the medical attendant. (As amended May 10, 1893, P. L. 39).

Section 35. So much of the act entitled "An act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth, and their discharge therefrom," approved the twentieth day of April, Anno Domini one thousand eight hundred and sixty-nine, number fifty-four of the

pamphlet laws of that year, as provides "that insane persons may be placed in a hospital for the insane by their legal guardians, or by their relatives or friends in case they have no guardians, but never without the certificate of two or more reputable physicians, after a personal examination, made within one week of the date thereof, and this certificate to be duly acknowledged and sworn to or affirmed before some magistrate or judicial officer, who shall certify to the genuineness of the signatures and to the respectability of the signer," is amended, and the persons thereby authorized to place an insane person in a hospital, are required to observe the forms and conditions required by this act in exercising the powers conferred by the said act of the twentieth day of April, Anno Domini one thousand eight hundred and sixty-nine, when the insane person is placed in any house, hospital, or place which is subject to the provisions of this act.

This Act super-
sedes Act of 1869
in part.

Section 36. So much of said act as provides by section second as enacts "That it shall be unlawful, and be deemed a misdemeanor in law, punishable by a fine of not exceeding one hundred dollars, for any superintendent, officer, physician, or other employee of any insane asylum to intercept, delay or interfere with, in any manner whatsoever, the transmission of any letter or any other written communication addressed by an inmate of any insane asylum to his or her counsel, residing in the county in which the home of the patient is, or in the city or county in which the asylum is located," is hereby amended so that the same shall extend to the superintendents, officers, physicians, servants, or other employees of all hospitals, houses, or places which are subject to the provisions of this act.

Penalty extended.

Section 37. So much of the said act as provides by section ten: "If the superintendent or officers of any hospital for the insane shall receive any person into the hospital after full compliance with the provisions of this act, no responsibility shall be incurred by them for any detention in the hospital," as applies to the superintendent or officers of any hospital, house, or place made subject to the provisions of this act, is repealed, and in place of the provisions of that act for the protection of such superintendent or officers, the provisions of this act for that purpose are substituted

Provisions
substituted.

Section 38. The managers and officers of any hospital or licensed house or place, shall not be liable to the penalties imposed by this act, and shall be entitled to all the protection of this act in case of receiving for detention a lunatic or alleged lunatic without complying with the requisitions of the act, if the judge trying the cause shall certify that the said officers and managers had good reason to believe that such receiving and detention were necessary for the safety of the lunatic or other persons, and that the delay required to comply with the requirements of this act would have been injurious to the person detained, or to other persons, and that there is no reason to believe that they or any of them were actuated by improper motives. And within forty-eight hours after any person is thus received, all the requisitions of this act to authorize a detention shall have been complied with, or the person discharged from custody, and the officers of the hospital or place where such lunatic has been thus received, shall forthwith notify the Board of Public Charities of the facts connected with the reception and detention.

Exemption by
Judge's certificate.

Board of Public
Charities to be
notified.

Section 39. Whenever any person shall be found by inquisition to be insane, the committee of the person or of the estate, and also the clerk of the court into which the inquisition has been returned, shall thereupon forthwith send to the Committee on Lunacy, at their principal office a statement in writing, signed by the committee of the lunatic, of the name, age, sex, and residence of the lunatic, and the residence of the committee, and upon any change in the residence or place of detention of the lunatic, shall forthwith notify the Committee on Lunacy of such change. The Committee on Lunacy, or any one or more of the members of the Committee, shall have power to visit and examine the said lunatic and authorize such visiting and examination by their secretary, or any board of visitors, or one or more members thereof, and by a physician, and the said Committee are authorized to apply to any court having jurisdiction over the committee, or to a judge of a Court of Common Pleas of the county in which the lunatic is a resident or detained, to make such orders for the maintenance, custody or care of the said lunatic, and for the care and disposi-

Committee of the
Lunatic and also
the Clerk of the
Court to notify the
Committee on
Lunacy of the
result of inquisi-
tion.

tion of the property of a lunatic as the case may require From any order, final or otherwise, thus made, an appeal may be taken to the Supreme Court, but such appeal shall not be a supersedeas unless so ordered by the court making the order, or by a judge of the Supreme Court on application and a hearing.

Right of appeal reserved.

Section 40. This act shall for all purposes, except the appointment and organization of the central board, go into operation thirty days after a proclamation shall have been issued by the Governor announcing the organization of the Committee on Lunacy.

Approved—The 8th day of May, 1883.

ROBT. E. PATTISON.

Pennsylvania, ss:

In the name and by the authority of the Commonwealth of Pennsylvania

(Seal.) ROBERT E. PATTISON.

Governor of the said Commonwealth.

A PROCLAMATION.

Whereas, It is provided in and by the fortieth section of the act of the General Assembly of this Commonwealth, entitled "An act relative to the control and supervision of hospitals or houses in which the insane are placed for treatment or detention," approved the 8th day of May, A. D. 1883, that "This act shall, for all the purposes except the appointment and organization of the Central Board, go into operation thirty days after a proclamation shall have been issued by the Governor announcing the organization of the Committee on Lunacy":

Proclamation of organization of the Committee on Lunacy.

And whereas, It has been properly certified to me that the Committee on Lunacy, provided for by the third section of the above recited act of the General Assembly, has been duly appointed by the Board of Public Charities, to consist of the following named persons: Philip C. Garrett, Henry M. Hoyt, Thomas G. Morton, E. Coppee Mitchell and W. W. H. Davis, and that said committee met in the city of Philadelphia, on Monday, the thirtieth day of July, A. D. 1883, and organized according to law.

Appointment of
additional mem-
bers of Board.

Now, therefore, As required by the said fortieth section of the act of the General Assembly above recited, I, Robert E. Pattison, Governor as aforesaid, do issue this my proclamation, hereby announcing that the Committee on Lunacy, provided for by the third section of said act, consisting of the aforesaid Philip C. Garrett, Henry M. Hoyt, Thomas G. Morton, E. Coppee Mitchell* and W. W. H. Davis, has been duly organized as required by the above recited act of the General Assembly.

Given under my hand and the great seal of the State at Harrisburg, this twentieth day of August, in the year of our Lord one thousand eight hundred and eighty-three, and of the Commonwealth the one hundred and eighth.

ROBT. E. PATTISON,
Governor.

By the Governor:
W. S. STENGER,
Secretary of the Commonwealth.

AN ACT

Authorizing and empowering the Committee on Lunacy to transfer inmates from one State hospital for the insane to another State hospital for the insane.

Power of
Transfer.

Section 1. Be it enacted, &c., That the Committee on Lunacy are hereby authorized and empowered, in their discretion, upon being satisfied that any of the State hospitals for the insane are over-crowded, to transfer patients or inmates from one State hospital for the insane to another.

Cost of transfer
to be paid by
State.

Section 2. That the cost of such transfers shall be paid out of the general appropriation for the care of the insane, and upon certificate of the Committee on Lunacy that such transfer has been made and of its cost.

Counties liable for
maintenance after
transfer.

Section 3. The municipalities or persons liable to the institutions in which the commitment was made shall, after this transfer, be liable to the State hospital for the insane to which such transfer shall be made.

Approved—The 1st day of May, A. D. 1907.

EDWIN S. STUART.

*On June 7th, 1883, the Governor appointed to the Board Messrs. Hoyt, Morton, and Mitchell, in accordance with Section 2 of the preceding Act.

AN ACT

To provide for the Better Protection of Female Insane Patients in Transit.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That whenever any indigent female insane patient is to be removed from any county almshouse to a State Hospital or asylum for the insane, or from one State hospital or asylum for the insane to another State hospital or asylum, or from the home of such indigent patient to an almshouse, hospital or asylum, or when returned from such institution to her home, it shall be the duty of the court under whose order such patient is committed, or of the commissioners of the county, or the overseers of the poor of the district to which such patient is chargeable (if not committed by the court), to provide a female attendant for every female patient in transit at the expense of the proper county or poor district, unless such patient is accompanied by a member of her family

Authorities to provide a female attendant for indigent insane women in transit.

Approved the fourteenth day of April, Anno Domini one thousand eight hundred and ninety-three.

ROBERT E. PATTISON.

[The foregoing act amended as follows:]

Section 2. Any public officer, superintendent, steward, director of poor or other person, transferring as aforesaid any such female insane patient, who shall refuse or neglect to observe the provisions of this act as hereby amended, shall be subject to a penalty of two hundred and fifty dollars for each such refusal or neglect, which penalty may be sued and recovered in the name of the Commonwealth by the district attorney of the county in which such act of refusal or neglect occurred, and the sum so recovered shall be paid into the treasury of the State.

Penalty for neglect.

Approved—The 27th day of May, A. D. 1897.

DANIEL H. HASTINGS.

AN ACT

To amend an act, entitled "An act to authorize and provide for the commitment of persons habitually addicted to the use of alcoholic drink or intoxicating drugs to a proper hospital or asylum, for restraint, care and treatment, approved April sixteen, Anno Domini one thousand nine hundred and three, providing for the commitment of persons habitually addicted to the use of alcoholic drink or intoxicating drugs to a proper hospital or asylum, for restraint, care and treatment, by the court of Quarter Sessions.

Drug Habit Act.

Section 1. Be it enacted, &c., That section one of an act, approved April sixteen, Anno Domini one thousand nine hundred and three, entitled "An act to authorize and provide for the commitment of persons habitually addicted to use of alcoholic drink or intoxicating drugs to a proper hospital or asylum, for restraint, care and treatment,"—be, and the same is hereby amended so as to read as follows:

Amended.

Section 1. Be it enacted, &c., That from and after the passage of this act, it shall be lawful for any person so habitually addicted to the use of alcoholic drink, absinthe, opium, morphine, chloral, or other intoxicating liquor or drug, as to be a proper subject for restraint, care and treatment in a hospital or asylum, for at least two persons, being the wife, husband, parent, child, children, or next friends of such person, to apply by petition to the court of Quarter Sessions of the proper county, setting forth the facts, upon oath, and requesting the commitment of such person to a proper hospital or asylum, for restraint, care and treatment; and such petition shall be accompanied by the affidavit of at least two physicians, based on examination by them of the alleged drunkard, setting forth the condition of such person, and stating that, in their opinion, restraint, care and treatment in a hospital or asylum will be a benefit to such person. Whereupon the said court shall issue a warrant to have brought into court, on a day certain, the petition, both physicians, and the alleged drunkard; and a hearing shall then be had, and if the facts set forth in the petition and affidavits are proved to the satisfaction of the court, it shall be the

duty of the court to commit such alleged drunkard to a proper hospital or asylum, for restraint, care and treatment, until, upon further hearing, the said court shall be satisfied that such restraint, care and treatment are no longer beneficial to the person committed as aforesaid: Provided, That such restraint shall not be continued in any case for a period of more than a year: And provided, That no person shall be committed under the provisions of this act, or be admitted into any hospital or asylum, until payment has been made, or security has been given to the managers of the hospital or asylum, satisfactory to them, to pay the proper charges for board, care and treatment of the alleged drunkard, and also to indemnify the said managers from all costs and expense: And provided, That all commitments under this act shall be reviewable by proceedings under writ of habeas corpus, which may be sued out at any time by any person restrained hereby, or by any one acting for or on behalf of such person.

Financial arrangement shall be made before commitment.

Approved—The 28th day of May, A. D. 1907.

EDWIN S. STUART.

AN ACT

To provide for the protection of insane persons, feeble-minded persons, and epileptics, and the appointment of a guardian for the said insane persons, feeble-minded persons, and epileptics unable to care for their own property; authorizing the guardian to support the wife and children of the said insane persons, feeble-minded persons, and epileptics; defining the powers of the guardian, and authorizing the sale of real estate of the ward.

Section 1. Be it enacted, &c., That whenever hereafter any person, being a resident of this State, shall become insane or feeble-minded or epileptic, or so mentally defective that he or she is unable to take care of his or her property, and in consequence thereof is liable to dissipate or lose the same, and to become the victim of designing persons, it shall be lawful for either the mother, father, brother, sister, husband, wife, child, next of kin, creditor, or in the absence of such person or persons, or their inability, any other person, to present to the court of common pleas of the county in which said person to

Appointment of guardian for insane, feeble-minded and epileptics.

Petition for
guardian to be
presented.

be cared for resides, his or her petition, under oath, setting forth the facts, praying the court to adjudge such person to be unable to take care of his or her property, and to appoint a guardian for the estate of such person.

Court hearing.

Section 2. Thereupon it shall be the duty of the court to fix a day for the hearing on such application, and direct that ten days written notice thereof be given to the person against whom the petition is presented, and also to the other members of his or her family residing within the jurisdiction, and, if such person or persons cannot be found, then by notice by such publication as the court may think proper.

Personal attend-
ance.

Section 3. Upon the day fixed for the hearing the court shall require the presence of the person against whom the petition is presented, unless there is positive testimony to the effect that such person cannot be brought into court with safety to him or herself. At such hearing the court shall take the testimony of all the parties in interest, and of such other witnesses as the petitioner and the person against whom proceedings are instituted, or any member or his or her family, he or she may see fit to summons, on the question of the inability of the person against whom the proceedings are taken to care for his or her property because of mental deficiency. If the court, on such hearing, shall be satisfied that the person against whom the proceedings are taken is not able, owing to insanity or weakness of mind, to take care of his or her property, then it shall be the duty of the court to decide, and enter a decree accordingly, and appoint a guardian to take care of the same.

Trial by jury
provided on
demand.

Section 4. If the person against whom the proceedings are taken shall demand in writing, prior to the decision of the court on such application, a trial by jury, it shall thereupon be the duty of the said court to award an issue, framed to determine the question of fact involved, and such trial shall be granted.

Decree shall be
notice of
incapacity.

Section 5. From and after a decree that the person, against whom the same is entered, is insane, or so weak in mind that he or she is unable to take care of his or her property, the said person shall be wholly incapable of making any contract or gift whatever, or any instrument in writing, and the entry of such decree shall be notice of such incapacity, and said person shall be a ward of the court appointing such guardian.

Section 6. The guardian, so appointed, shall have precisely the same powers, and be subject to the same duties, as a committee on lunacy in the State of Pennsylvania. The court appointing such guardian shall have full power over the same, in directing an allowance for the said ward and for the support and maintenance of his wife, or his or her children, and the education of his or her minor children; and shall enter a decree of sale, mortgaging, leasing, or conveyance upon ground-rent of the real estate, or any part thereof, of the said ward, whenever in the opinion of the court it is necessary for the support and maintenance of the said ward or his family, or the education of his or her minor children, or the payment of his or her debts, or where it is for the interest and advantage of the said ward that the same shall be sold, mortgaged, leased, or let on ground-rent; and all absolute sales in fee simple, except as herein-after provided, shall be by public sale or vendue, and may be either entirely for cash or partly on credit, and after full advertisement for at least twenty days by handbills, posted in at least twenty of the most public places in the city or county where the said premises shall be situated, and in at least two newspapers, not less than three times in each: Provided, That if the court shall be of the opinion that, under the circumstances, a better price can be obtained by private sale than at public sale, the court may decree and approve the same. Such sale, mortgaging, leasing, and letting on ground-rent shall be upon terms and rates to be approved by the court. When the said real estate is situated in the same county in which the said person shall reside, or in another county, or counties, and the court shall be satisfied of the propriety of a sale, mortgaging, or leasing, or letting on ground-rent, upon such real estate, or any part thereof, not within their jurisdiction, it shall be lawful for such court to make an order or decree authorizing such guardian to sell, mortgage, lease, or let upon ground-rent all the real estate of the ward, or so much thereof as the court may think necessary and as it may designate. Thereupon it shall be the duty of the court of Common Pleas of the county wherein the real estate so designated is situated, upon the petition of such guar-

Powers of
guardian.

Powers of Court.

dian, to make an order for the sale, mortgaging, leasing, or letting upon ground-rent of said real estate, or so much thereof as the court appointing said guardian by its order shall designate; and such guardian shall, in all cases, make a return of his proceedings to the said court, in the county in which the real estate was sold, mortgaged, leased, or let upon ground-rent shall be found, only. If the same be approved by the court, it shall be confirmed, and said guardian shall make a return of said proceedings to the court by which said guardian was appointed. The said guardian shall give such bonds and file such accounts, at such periods, as the court shall determine.

Procedure after
recovery.

Section 7. If, at any time after the decree has been entered, the person against whom such proceedings are taken shall become able to care for his or her property, he or she, or any one of his or her family, or next of kin, may petition to the court, setting forth such fact; and, after a hearing, of which due notice shall be given to such person so afflicted, and to all members of the family and next of kin of the said person, if the court shall find that the said person so afflicted has regained the ability to care for his or her property, the court shall so decree, and shall discharge the guardian; and thereupon the said person shall be, so far as the care of his or her property or person shall be concerned, for the future, the same as if the proceedings against him or her had never been taken.

Discharge of
guardian by
Court.

Section 8. Any person aggrieved by the final decree of the courts of Common Pleas may, within three months from the time of the entry of said decree, appeal to the Superior Court of the State, and such court may confirm, reverse, or modify the decree entered in the lower court.

Section 9. All acts or parts of acts inconsistent herewith be and the same are hereby repealed.

Approved—The 28th day of May, A. D. 1907.

EDWIN S. STUART.

AN ACT

To provide for the employment of the insane, feeble-minded, and epileptic persons confined in institutions, wholly or in part maintained by the State, for the care and treatment of the insane, feeble-minded, and epileptic persons; and providing for the distribution of the supplies, manufactured articles, goods, and other products made in State institutions for the care of the insane, feeble-minded, and epileptic persons.

Section 1. Be it enacted, &c., That from and after the passage of this act, all inmates of any institution or hospital, which is wholly or in part maintained by the State for the care and treatment of the insane, feeble-minded, and epileptic persons, may make, manufacture, or produce such supplies, manufactured articles, goods, and products as may be used in any of the State hospitals or institutions.

Inmates may manufacture certain goods.

Section 2. All the supplies, manufactured goods, and products, so made, manufactured, or produced in institutions or hospitals, shall bear the stamp, giving the full name or title of the institutions wherein said article was made, manufactured, or produced.

Properly stamped.

Section 3. Supplies, manufactured articles, goods, and products, so made, manufactured or produced, shall not be sold or exchanged to any person, firm, co-partnership, unincorporated association, or corporation; but same may be made, subject to sale or exchange to any institution, within the confines of the Commonwealth, which is maintained by the State wholly or in part, wherein the insane, feeble-minded, and epileptic persons are confined.

To be sold only to other institutions of same class.

Section 4. Any trustee, manager, or superintendent, or other person connected with the management and control of any institution for the care and treatment of the insane, feeble-minded, or epileptic, and who shall violate any of the provisions of this act by permitting

Violations.

Misdemeanor. any supplies, manufactured articles, goods or products to be sold or exchanged in any other way except as here-
Penalty. in provided, shall be guilty of a misdemeanor, and, on conviction, shall be sentenced to pay a fine of not more than five hundred dollars (\$500.00), at the discretion of the court.

Repeal. Section 5. All laws or parts of laws inconsistent herewith shall be and the same are repealed.

Approved—The 28th day of May, A. D. 1907.

EDWIN S. STUART.

AN ACT

To create a Board of Public Charities," approved April 24, 1869. (Supplement.)

Records to be kept.

Forms prescribed by Board of Public Charities.

Penalty for default.

"It shall be the duty of the overseers and directors of the poor, or other persons having charge of the poor in the several counties, cities, boroughs, and townships of this Commonwealth, and of all directors and managers of charitable and correctional institutions of the Commonwealth receiving State aid, to keep their records after the manner and in the form to be prescribed by the Board of Public Charities, and to make returns thereof to said Board at such times as they may direct; and in default thereof the person or persons so offending shall forfeit and pay a fine of not less than one hundred dollars, to be sued for and collected by the General Agent, in the name of the Board of Public Charities, for the use of the Commonwealth."

Approved—The 25th day of April, 1872.

JOHN W. GEARY.

AN ACT

Relating to the indigent insane in poor districts, and providing for the same allowance for their treatment as is given by the Commonwealth to State hospitals for the insane, under the conditions prescribed by the act of Assembly, approved May one, one thousand nine hundred and seven.

Section 1. Be it enacted, &c., That poor-districts in this Commonwealth, which have supplied or may hereafter supply a hospital for the care and treatment of the indigent insane, according to plans and specifications approved by the Board of Public Charities, which said insane hospital shall be provided with all the modern appliances for the treatment of the insane, with a medical superintendent of experience in the treatment of mental diseases and who shall be in actual practice for at least five years, in which the said insane are attended by trained and skilled nurses, and in every way receive the same care and attention as they would in any State hospital for the insane, shall hereafter be entitled to the same allowance for the care and treatment for the indigent insane as is given by the Commonwealth to State hospitals for the insane, under the conditions prescribed by act of Assembly, approved May one, one thousand nine hundred and seven, entitled "An act amending section one of an act, entitled 'A supplement to an act to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane, approved the thirteenth day of June, Anno Domini one thousand eight hundred and eighty-three,' said supplement approved the twenty-first day of May, Anno Domini one thousand eight hundred and eighty-nine, so as to fix the maximum amount for maintenance weekly, per capita."

Indigent insane.

Cared for in poor districts.

Allowance for treatment.

Approved—The 13th day of May, A. D. 1909.

EDWIN S. STUART.

AN ACT

To amend an act, entitled "An act to provide for the maintenance, care, and treatment of the indigent insane in county and local institutions," approved May twenty-five, one thousand eight hundred ninety-seven; increasing the weekly sum, therein authorized to be paid, from one dollar and fifty cents to two dollars.

Indigent insane in
local institutions.

Section 1. Be it enacted, &c., That the act approved the twenty-fifth day of May, eighteen hundred and ninety-seven, entitled "An act to provide for the maintenance, care, and treatment of the indigent insane in county and local institutions," which provides as follows:—

Act of May 25,
1897, cited for
amendment.

"Section 1. Be it enacted, &c., That any county, municipality, borough, or township of this Commonwealth, which now has, or may hereafter supply, erect, and equip, a suitable institution for the maintenance, care, and treatment of its indigent insane, upon plans and specifications approved in writing by the Board of Public Charities, shall receive from the State Treasurer the sum of *one dollar and fifty cents* per week for every indigent insane person of such county, municipality, borough, or township, so maintained, who has been legally adjudged to be insane and committed to such institution, or who may be transferred from a State hospital for the insane to such local institution; Provided, That the Board of Public Charities shall be satisfied that the quality and equipment of such institution, and the manner of care and treatment therein furnished, is proper and suitable to the class or classes of the indigent insane so maintained, and shall so certify to the Auditor General before any such payment shall be made," be and the same is hereby amended so as to read as follows:—

County and local
institutions.

Section 1. Be it enacted, &c., That any county, municipality, borough, or township of this Commonwealth, which now has, or may hereafter supply, erect, and equip, a suitable institution for the maintenance, care, and treatment of its indigent insane, upon plans and specifications approved in writing by the Board of Public Charities, shall receive from the State Treas-

Approval of plans.

ury the sum of *two (2) dollars* per week for every indigent insane person of such county, municipality, borough, or township, so maintained, who has been legally adjudged to be insane and committed to such institution, or who may be transferred from a State hospital for the insane to such local institution: Provided, That the Board of Public Charities shall be satisfied that the quality and equipment of such institution and the manner of care and treatment therein furnished is proper and suitable to the class or classes of the indigent insane so maintained, and shall so certify to the Auditor General before any such payment shall be made.

Per capita.

Proviso.

Approved—The 13th day of May, A. D. 1909.

EDWIN S. STUART.



AN ACT

To provide for the custody of insane persons charged with and acquitted or convicted of crime.

Section 1. Be it enacted, &c., That whenever any person is imprisoned within the Commonwealth, convicted of any crime whatsoever or charged with any crime and acquitted on the ground of insanity, application, in writing, may be made by the warden, superintendent, physician or any inspector of the penitentiary or prison in which such person is imprisoned, or by the general agent of the Board of Public Charities, to the court hereinafter named, or any law judge thereof, which application shall certify, under oath or affirmation, that such prisoner is believed to be insane, and shall request that such prisoner shall be removed to a hospital for the insane, whereupon it shall be lawful for any judge learned in the law of any court within this Commonwealth having cognizance of the crime with which such prisoner is charged, or of the court by which such prisoner has been convicted, to appoint a commission of three citizens of this Commonwealth, of whom one shall be of the profession of medicine and one of a profession of law, whose duty it shall be to inquire into and report upon the mental condition of such prisoner, and if in a report signed by a majority or all of the members of such

Insane convicted or acquitted of crime, may be removed to hospitals.

Application to be made to court or judge.

Commission to be appointed.

Their duties.

commission it shall appear that the prisoner inquired of is of unsound mind and unfit for penal discipline, it shall be lawful for the judge issuing such commission, or for any other judge of the same court learned in the law, to make an order, under the seal of such court, directing the removal of such prisoner from the place of his or her imprisonment, and that he or she shall be received, maintained and cared for by the hospital for the insane nearest to such place of imprisonment, and which shall or may receive aid or support from the treasury of the State, and that such patient shall be detained in such hospital until an order, as herein provided, shall be granted by the said court, or any judge thereof learned in the law, for the return of such prisoner to the penitentiary or prison from which he or she was removed, or for his or her discharge from such hospital: *Provided always*, That whenever any hospital shall be established especially for the care of insane patients who shall have been convicted of crime, or whenever separate accommodations shall be made for such patients in any hospital aided from the treasury of the state, the order, as aforesaid, for the removal of any such person from his or her place of imprisonment shall direct that he or she shall be received, maintained and cared for in such special hospital or in the separate accommodations of any hospital prepared for such purpose.

Order of removal
to be made.

Court may commit
to hospitals all
prisoners found to
be insane.

Section 2. That in all cases where any person who may have committed any criminal act, and is dangerous to the community, shall be found to be insane in the manner provided by law, and in all cases mentioned in the sixty-sixth, sixty-seventh and sixty-eighth sections of the act of thirty-first of March, one thousand eight hundred and sixty, relative to criminal procedure, it shall be lawful for any court having cognizance of the crime or offence with which such person is charged, to commit to either of the hospitals for the insane mentioned in the preceding section of this act, any such insane person for so long time as such person shall continue to be of unsound mind.

When and how
prisoners to be
remanded to
prison or for
trial.

Section 3. That whenever the superintendent or other proper medical authority of any hospital for the insane, to which any patient shall have been sent under the provisions of this act, shall, in writing, certify to the judge or court by whom the order for removal or detention has

been made, that such patient has been so far restored to mental sanity as no longer to need the remedial or custodial care of such hospital, it shall be lawful for the said judge or court, if the term of imprisonment for which such prisoner was sentenced has not expired, to remand such prisoner to the place of imprisonment from which he or she was brought to such hospital, to serve out the unexpired term of sentence, or if such prisoner became unsound in mind after the alleged crime and before conviction, to remand such prisoner for trial; but if the term for which such prisoner was sentenced shall have expired, or if the crime wherewith such prisoner is charged shall have been committed during his or her probable insanity, and in all cases provided for in the second section of this act, it shall be lawful for the said judge or court to order the discharge of such patient from the said hospital.

When court may discharge.

Section 4. That whenever the term of sentence of any prisoner sent to a hospital for the insane under the provisions of this act shall expire while such prisoner remains uncured and a patient of said hospital, it shall be lawful for the judge or court by whom the order of removal and detention has been made, upon the due application of relatives or friends of such patient, and upon proper surety being given for the custody and care of such patient, to make an order for the discharge of such patient from the said hospital, and his or her delivery to the guardianship and control of the person or persons applying therefore; and no person committed to a hospital under any of the provisions of this act shall be discharged therefrom, otherwise than in the manner hereinbefore provided.

When prisoners be delivered to their relatives.

Section 5. That the expenses incurred for the removal of any insane person from a place of imprisonment to any hospital, or for their removal from such hospital, in pursuance of the provisions of this act, and of his or her detention, maintenance and care in the said hospital, shall be chargeable to and paid by the commissioners of the county in which the alleged crime with which he or she was charged was committed; and the said commissioners shall have remedy over against the poor district, liable under existing laws, or against the estate and effects of every such prisoner, for the reimbursement of such expenses to the said county.

How expenses of removal, &c., to be paid.

County Commissioners' liability and remedy.

Repeal.

Section 6. That all provisions of any act or acts of Assembly inconsistent with or supplied by the provisions of this act be and the same are hereby repealed.

Approved—The 14th day of May, A. D. 1874.

J. F. HARTRANFT.

AN ACT

Providing for the return of paupers and indigent insane persons, not having a legal settlement within this Commonwealth, to any other state or country to which they may belong.

Court shall determine legal residence.

Section 1. Be it enacted, &c., That in all cases of commitment of indigent insane persons to any of the State hospitals for the insane, it shall be the duty of the court in making such commitment, to determine the legal residence of such indigent insane person, whether such settlement be within the Commonwealth or in any other state or country.

Where person has not a legal residence in Pennsylvania.

Section 2. If upon such investigation the court making the commitment as aforesaid shall find that such person whose commitment to the said institution is necessary has not a legal residence within the State of Pennsylvania, or if the question of his legal residence is in doubt, it shall be the duty of the clerk of said court, without delay, to notify the State Board of (Public) Charities, and if said court commits such person to any of the State asylums for the insane notwithstanding that he has not gained a legal residence, it shall be the duty of the court to give the reasons for such recommendation.

Duty of Clerk of Court.

Duty of State Board of (Public) Charities to investigate.

Section 3. It shall be the duty of the State Board of (Public) Charities, either by a committee of its members or by its secretary or by such agent as it may designate, to investigate the question of the legal residence of such person as shall be reported to the said Board, and such committee, secretary or agent shall have authority to send for persons and papers, and to administer oaths and affirmations in conducting such investigation.

Authority of Board.

If such persons do not have legal residence in Pennsylvania they shall be returned to legal residence.

Section 4. If upon investigation the said Board or its agent shall find that the said person is not a legal resident of the State of Pennsylvania, but has legal residence in some other State or country, they may by a proper order addressed to the Trustees of the lunatic hospital to which such indigent insane person has been committed, cause him to be returned to that state or country where he has a legal residence, or to that state

or country whence he came to the State of Pennsylvania; and the actual necessary expense of returning such person shall be paid from the State Treasury by warrant drawn by the Auditor General on the State Treasurer on an account settled by the Auditor General. Like proceedings shall be had in all cases where any such indigent insane person is confined in any county or poor-house.

Necessary expenses, how payable.

Section 5. The State Board of (Public) Charities is hereby authorized and empowered to enter into agreement with the authorities of other states which shall adopt legislation, consistent with this act, for the arbitration of disputed questions between the states and the State of Pennsylvania respecting the residence of insane persons, paupers and other dependents, and for the return of such persons to their proper residence.

State Board of (Public) Charities empowered to arbitrate disputed questions.

Approved—The 22d day of June A. D. 1897.

DANIEL H. HASTINGS.

AN ACT

In relation to aiding an inmate of any of the State institutions of this Commonwealth to escape.

Section 1. Be it enacted, &c., That if any person shall aid or assist an inmate, lawfully committed or detained in any of the charitable, penal or other institutions of this Commonwealth, which are maintained wholly or in part by appropriations from the State Treasury, to make or attempt to make his escape therefrom, although no escape be actually made, or if any person shall convey or cause to be delivered to such inmate any disguise, clothes, instruments or arms proper to facilitate the escape of such inmate, with the purpose of aiding or affecting such escape, he shall be deemed guilty of a misdemeanor, and be sentenced to pay the costs of prosecution, and a fine not exceeding fifty dollars, and to undergo imprisonment in the county jail not exceeding three months, either or both, at the discretion of the court.

Aiding inmates of penal and other institutions to escape, prohibited.

Furnishing disguises, etc., prohibited.

Penalty.

Approved—The 23d day of June A. D. 1897.

DANIEL H. HASTINGS.

AN ACT

Permitting the release on parole of persons acquitted on the ground of insanity, and regulating such releasing.

Courts. Section 1. Be it enacted, &c., That when any person, hereafter charged with any crime or misdemeanor, shall be acquitted by the jury on the ground of insanity, such person may be released from custody on parole, by the court wherein such person shall have been so acquitted.

Insane. Section 2. Before the court shall direct the release of any person, as provided for in section one of this act, such person may be released from custody on parole, by the court wherein such person shall have been so acquitted.

Investigation by the court. Section 3. The court directing the release on parole of any person acquitted on the grounds of insanity may prescribe such terms and conditions of said release as to it may seem proper.

Terms and conditions. Approved—The 11th day of May, A. D. 1911.

JOHN K. TENER.

AN ACT

Authorizing the establishment and maintenance of psychopathic wards in certain hospitals; providing for the regulation thereof, the commitment of persons suffering with mental disorders to such wards, and for the payment of the expenses of maintaining and treating persons committed thereto.

Hospitals. Section 1. Be it enacted, &c., That it may and shall be lawful for the trustees or managers of any hospital, maintaining medical and surgical staffs, in which courses of lectures on mental diseases, open to medical students, are maintained, to establish and maintain, subject to the consent and approval of the Board of Public Charities, psychopathic wards for the reception and treatment of persons suffering with mental disorders; and where such wards have already been established, they shall be maintained agreeably to the provisions of this act, subject to such consent and approval. Such wards hereafter established shall be constructed upon plans to be approved by the Board of Public Charities.

Lectures on mental diseases.

Establishment of psychopathic wards.

Approval of Board of Public Charities.

Section 2. Persons suffering with mental disorders may be committed temporarily, or for a period not exceeding thirty days, to such wards, for observation, diagnosis, and treatment, in the manner now provided by law for the commitment of insane persons to hospitals for the insane; and all courts, before whom persons charged with offenses are or shall be brought for examination or trial, may, in their discretion, when of the opinion that such persons are or may be suffering from mental disorders, commit them to such wards for observation and diagnosis: Provided, That persons admitted to such wards, who shall be found to be insane, shall, within thirty days after such admission, be regularly committed and removed, according to law, to a hospital or place where the insane are detained for care and treatment.

Commitments.

Powers of the courts.

Proviso.

The insane.

Section 3. Each hospital maintaining a psychopathic ward shall be entitled to receive from the Commonwealth the sum of two dollars per diem for each day during which each indigent person, committed to or received in such ward under the provisions of this act, shall be cared for and treated therein; which amount shall be paid from the appropriation for the payment of the expenses of the care and treatment of the indigent insane, in the same form and manner prescribed by law for the presentation, approval, and payment of bills for the care and treatment of indigent insane persons committed to State hospitals for the insane. The expense of caring for and treating non-indigent persons, or those not committed by a court, received in or committed to such wards, shall be paid or provided for to the satisfaction of the hospital authorities before admission.

Per diem allowance.

Non-indigent, etc.

Reports shall be made to the Committee on Lunacy of the State Board of Charities, in the same manner as reports are now required by law to be made in the case of persons committed to State hospitals for the insane.

Reports.

Approved—The 9th day of June, A. D. 1911.

JOHN K. TENER.



RULES AND REGULATIONS

OF THE

Committee on Lunacy.



PART II.

RULES AND REGULATIONS

OF THE

Committee on Lunacy.

(NOTE.—The following rules and regulations having been ordained with the consent of the Chief Justice of the Supreme Court and the Attorney General, have now the force of law.)

- (1) The regular meetings of the Committee shall be held quarterly. Special meetings may be held at call of Chairman, or at request of two members of the Committee. Applications for license will be received and acted upon at any regular, adjourned or special meeting.
- Regular meetings to be held quarterly.
- Licenses.
- (2) The Committee (in their discretion) have authority to grant a license to any hospital established by the State, or municipal authority, or eleemosynary institution, or to any person or persons to keep a house for the reception of any class of the insane of either sex within this Commonwealth; and the said license may include two or more hospitals under the management of trustees, or boards of directors, or one or more houses belonging to one proprietor, or to two or more joint-proprietors; all houses, buildings, and lands intended to be included in any license, shall be specified, and described to the satisfaction of the Committee.
- By whom granted.
- For several hospitals or houses.
- (3) No house or hospital shall receive a license unless the person making the application shall reside on the premises licensed, or, in his absence, have a suitable person in charge who shall be approved by the Committee on Lunacy, and who must reside on the premises.
- Residence of applicant.
- (4) Every corporation, person, or persons who shall desire a license, shall give notice at least fourteen days prior to the consideration of said license by the
- Mode of application, how granted.

Committee, and such notice shall contain the true Christian name and surname, place of abode and occupation of the person, or persons for whom the license is desired, and a statement of the quantity of land not covered by any building annexed to such house; and appropriated to the exclusive use, exercise and recreation of the patients proposed to be received therein, and also what means of escape from, and the control of fire, have been provided, and also a statement of the number of patients proposed to be received into such house, and whether the license so applied for is for the reception of male, or female patients, or both, and, if for the reception of both, the number of each sex proposed to be received into such house, and the means by which the one sex may be kept distinct and apart from the other, and such notice, and statement, when sent to the Secretary of the Committee on Lunacy, shall be laid by him before the Committee, at such time as they shall take into consideration the application for such license. The license, in each case, shall state the maximum number of patients that may be received, and said number shall never be exceeded.

Form and duration of license.

(5) Every license shall be according to form (A), annexed to these regulations, as nearly as conveniently may be, and shall be granted for such period, not exceeding twelve calendar months, as the Committee shall provide.

Application for renewal of license.

(6) In every case, in which any person shall apply for the renewal of a license, such person shall, with such application, transmit to the committee a statement, according to form (B), signed by the person so applying, containing the names and number of the patients of each, or either, sex then detained in such house, or place, and distinguishing whether such patients, respectively, are private, or indigent, patients, and any person, who shall make any such return untrue, shall be subject to the withdrawal of such license, or the imposition of conditions by the Committee on Lunacy, under which it shall continue.

Statement to be made of the number and class of patients then detained.

Transfer of license in case of incapacity or death of licensee.

(7) If any person to whom a license shall have been granted under the Lunacy Law shall, from sickness or other sufficient cause, become incapable of keeping the said licensed house, or shall die before the expiration of the license, the committee may, by writing indorsed

on such license, transfer it, with all the privileges and obligations annexed thereto, for the term unexpired, to such other competent person, intending to reside on the premises, as they may approve; and until such transfer the license shall remain in force and have the same effect as if granted to the superintendent of the house; and in case a license has been, or shall be, issued to two or more persons, and before the expiration thereof, any, or either, of such persons shall die, or become disqualified, leaving the other, or others, surviving, such license shall remain in force and have the same effect as if granted to such survivor or survivors.

Survivorship of license.

(8) If any licensed house shall be pulled down, vacated, or, by any accident, be rendered unfit for the accommodation of the insane, or, if the person keeping such house, shall desire to transfer the patients to another house, the Committee on Lunacy may grant a license to keep such other house for the reception of insane, for such time as said committee may see fit: Provided always, That the same notice of such intended change of house, with the same statements and descriptions of, and as to such intended new house, shall be given as are required when application is first made for a license for any house; and shall be accompanied by a statement, in writing, of the cause of such change of house; and that, except in cases where the change of house is occasioned by unavoidable cause, seven days' previous notice of the intended removal shall be sent, by the person to whom the license for keeping the original house shall have been granted, to the person who signed the order for the reception of each patient, not being an indigent, or the person by whom the last payment on account of such patient shall have been made; and to the overseers of the poor, or to other public authorities to whom each patient, being an indigent, is chargeable, or the person by whom the last payment on account of such patient shall have been made.

Substituted license, where licensed house is destroyed or rendered unfit, etc., or the keeper wishes to transfer his patients to another house.

(9) The Committee on Lunacy may, from time to time, exempt any particular hospital established by the State, or municipal authority, or any eleemosynary institution, from the obligation to apply for, or obtain, a license; or they may, in their discretion, require, at any time, any hospital established by the

Exemption to obtain a license.

Revocation of
license.

Notice of revoca-
tion.

Notice of all ad-
ditions or altera-
tions to be given.

False statements
will subject a
license to revoca-
tion.

Book of admission
in, entry in book
must be made
within 24 hours.

Form of mental
disorder to be en-
tered by medical
attendant.

State, or municipal authority, or eleemosynary institution now exempted, to procure a license, and they may, by resolution, revoke, or decline, to renew any license granted by them, such action to take effect at a period to be named in such resolution, not exceeding two months from the time a copy or notice thereof, shall have been transmitted, to the person, or persons, to whom the license was issued, or to the resident superintendent of the licensed house, or shall have been left at the licensed house.

(10) No building shall be erected for detention, or treatment, of the insane, or any addition, or alteration in the accommodations for the insane, made to, in, or about any hospital, eleemosynary institution, or licensed house, subject to the provisions of the Lunacy Law, or the appurtenances, unless a previous notice, in writing, of such proposed building, or addition, or alteration, shall have been presented to the Committee on Lunacy, accompanied by a plan of such building, addition, or alteration, drawn upon a scale of not less than one-eighth of an inch to a foot, nor shall such building, addition, or alteration be undertaken without the consent, in writing, of the Committee on Lunacy.

(11) If any person shall wilfully give an untrue, or incorrect, notice, plan, statement, or description of any of the things required to be included in any notice, plan, or statement, or shall fail to present the plans required in regulation No. 4 of these rules, he shall be liable to the penalties of the Lunacy Law; and where a license has been granted it may be revoked at the pleasure of the Committee.

(12) Every superintendent, or proprietor, who shall receive any patient into any hospital, eleemosynary institution, or licensed house shall, within twenty-four hours after the reception of such patient, make an entry with respect to such patient, in the "Admission Book, or Card Indices," according to, and containing the particulars required in form (C) herewith annexed, so far as he can ascertain the same, as to the form of mental disorder, when ascertained, and as to the discharge, or death, of the patient, which latter shall be made when the same shall happen.

The form of the mental disorder of every patient shall, within seven days after his reception, be entered in the admission book by the superintendent, or pro-

prietor; and subsequent entries shall be made of any change in the condition of the patient, or change of opinion on the part of the superintendent, or proprietor, as to the nature of the disorder.

(13) The superintendent, or proprietor, of every house, or place, subject to the provisions of the Lunacy Law, shall, on or before the expiration of seven days, from the day on which any patient shall have been received into such house, or place, transmit a copy of the order and statement furnished at the time of the reception, and at the examination of the patient by the medical superintendent of the house, or place, in which such person shall have been received, and also a notice and statement according to forms (D, E, F, G, H,) hereunto annexed, to the Committee on Lunacy, and once in six months, on the last days of May and November, in each year, there shall be a report made by the medical superintendent of the house on the condition of each patient, according to form (I) together with such other matters relative to the case as the said committee may require; and, at any time, such report shall be made upon the request of the Committee on Lunacy or their secretary.

Documents to be sent to Committee on Lunacy of admitted patients.

Semi-annual report to be made of the condition of each patient.

(14) Whenever any patient shall escape from any house or place, subject to the provisions of the Lunacy Law, the superintendent, or proprietor, of such house, or place, shall use prompt and vigorous measures to secure his or her return, and shall, within two days after such escape, transmit a written notice thereof to the Committee on Lunacy, and such notice shall state the Christian name and surname of the patient who has so escaped, and his or her then state of mind, and also the circumstances connected with such escape; and, if such patient shall be brought back to such house, or place, such superintendent or proprietor, shall, within two days after such person shall be brought back, transmit a written notice thereof to the Committee on Lunacy; and such notice shall state when such person was brought back, and the circumstances connected therewith.

Notice of escape of patients.

Capture of patient escaped.

Notice to be given when returned.

Notice shall also be given by the superintendent or proprietor, by telegraph, telephone, or in writing, of such escape or return of patient, to their relatives, or to those responsible for their commitment.

Entry and notice
of removal and
death of patients.

(15) Whenever any patient shall be removed, or discharged from any house, or place, subject to the provisions of the Lunacy Law, or shall die therein, the superintendent, or proprietor of such house or place shall, within two days after such removal, discharge, or death, make an entry thereof in the "Discharge Book," according to, and stating the particulars in form (J) annexed, and shall also immediately notify the relatives, or friends, or other authority, committing patient, and shall, within seven days, transmit a written notice thereof to the Committee, according to, and containing the particulars in form (K).

Notice of cause of
death of patient to
be given.

Duty of physician
to report abuse,
ill-treatment, or
neglect of pa-
tients.

(16) If any patient, in any house, or place, subject to the provisions of the Lunacy Law, shall allege that he or she has been abused, or maltreated, by any officer, or employee, of such house, or place, the physician thereof, if there be reasonable cause for believing the allegation to be true, shall forthwith report the same to the Committee on Lunacy. And, within one week after the dismissal for misconduct, of any one employed in such house, or place, the superintendent thereof shall report, to the Committee on Lunacy, in writing, the fact of such dismissal and the reasons therefor. And if any superintendent, officer, nurse, attendant, or other person employed in any such house, or place, shall, in any way, abuse, or maltreat, any patient therein, or shall wilfully neglect any such patient, he shall be prosecuted according to law. And the Secretary of the Committee on Lunacy, upon receiving such information, shall transmit the same to the District Attorney of the proper county for his action.

Superintendent to
report on dismiss-
ing any employee
for misconduct.

Information to be
transmitted to the
District Attorney.

Documents to be
furnished on re-
quest of persons
released from.

(17) The Secretary of the Committee on Lunacy shall furnish to any person released, as restored, from any house, or place, subject to the Lunacy Law, and who shall consider himself or herself to have been unjustly confined therein, or to his or her attorney, copies of all papers filed on his or her reception therein, and at his examination by the medical attendant of such house or place, and the Secretary may, in his discretion, furnish upon request of the patient, or his or her attorney during the detention of the patient, copies of any or all papers on file relating to his or her case.

(18) In every house, or place, licensed for the reception of fifty patients, or more, there shall be a resident physician, or direct telephonic communication with the regular attending physician of the house, and every licensed house, or place, licensed for less than fifty patients, (in case such house shall not be kept by, or have a resident physician), shall be visited by a physician, once a week, and as much oftener as required by the superintendent or proprietor.

In houses licensed for less than fifty patients, shall be visited once a week, or oftener, if required, by superintendent or proprietor.

(19) The physician keeping, or residing in, or visiting, any house, or place, subject to the provisions of the Lunacy Law shall, from time to time, make entries in the "Case Book," of the mental state, and bodily condition of each patient, together with a correct description of the medicine and other remedies prescribed for the treatment of his or her disorder, after form (L); the Committee on Lunacy may (when-ever they may deem proper) require, by an order, such physician to transmit to them a correct copy of the entries, or entry, in any Case Book, relative to the case of any insane patient who is or may have been confined in any such house or place.

Case Book to be kept.

Entries to be made by physician, and reports made.

(20) In every house, or place, subject to the provisions of the Lunacy Law, the medical officer thereof shall, once in every week, enter in the "Medical Journal" a statement according to form (M), showing the number of patients, of each sex, then in such institution, the christian, or given name, and surname of every patient, who is, or has been under restraint, or in seclusion, since the last entry, and when, and for what period and reason, and, in case of restraint, by what means, whether medical, mechanical, or physical, and for what bodily disorder, if any, and every death, injury, and violence, which shall have happened to any patient since the last preceding entry; and such book shall be produced to the Committee on Lunacy, or their secretary, on every visit.

Medical Journal to be kept in and entries to be made every week.

Records of restraint to be kept.

Also of death, injury or violence.

Book to be produced.

(21) Every house, or place, in which the insane are confined, shall, without previous notice, be visited by one or more members of the Committee, or their Secretary, twice, at least, in every year, and also at such other times as the said Committee on Lunacy shall direct, and such Committee, or their Secretary, when visiting such house or place, may inspect every part thereof, and every patient, so far as deemed nec-

Visits of the Committee on Lunacy or Secretary to be made without previous notice.

essary by them, and inquire whether any patient is under restraint, and why, and the superintendent or proprietor of every such house, or place, shall show the Committee on Lunacy, or their Secretary, and county visitors respectively visiting the same, every part thereof, and every person detained therein as insane. Any member of the Committee on Lunacy, or their Secretary, may visit and inspect any house, or place, at any hour of the day or night, at his or their discretion.

Night visits of
Committee on Lu-
nacy or their Sec-
retary.

Houses or places
to be inspected
as often as consid-
ered necessary.

(22) Each Committee of Visitors, appointed by the Lunacy Committee is hereby authorized and shall by one or more of its members, visit as often as considered necessary, every house or place in their respective counties, coming under the provisions of the Lunacy Law, and examine, so far as circumstances will permit, the condition of the institution and the insane therein, and make a report, in writing, to the Committee on Lunacy, with such remarks or observations in relation to any matter connected with the institutions as they may deem proper.

Inquiries to be
made by Commit-
tee on Lunacy or
their secretary.

(23) It shall be the duty of the Committee on Lunacy or their Secretary, respectively, upon their several visitations to every such house or place, under the provisions of the said law, to inquire when Divine service is performed, and what number of the patients are permitted to attend such service, and the effect thereof, and also what occupations, or amusements, are provided for the patients and the result thereof, and whether there has been adopted any system of coercion, or restraint, and, if so, what the result thereof, and also what classification of patients is made, and also as to the dietary of the patients, and also to make such other inquiries as they may deem expedient; and every proprietor, or superintendent, of any such house, or place, who shall not give full and true answers to the best of his knowledge to all questions which the Committee on Lunacy, or their Secretary shall ask in reference to the matters aforesaid, shall be liable to have his license revoked.

Books and docu-
ments to be pro-
duced to Commit-
tee on Lunacy, or
their Secretary.

(24) Upon every visit of the Committee on Lunacy, or their Secretary, to any house or place, subject to the provisions of said act, there shall be laid before the aforesaid Committee, or their Secretary, by the proprietor, or superintendent, of such house or place

a list of all the patients then in such house, or place, (distinguishing indigent from other patients, and males from females, and specifying such as are deemed curable) and also the several books required to be kept by the proprietor, or superintendent, or the medical attendant under the provisions of said act and the regulations of the Committee on Lunacy, and also, in case of a licensed house, the license then in force for such house, and also all such other orders, certificates, documents, and papers relating to any of the patients, at any time received into such house, or place, as the Committee on Lunacy, or their Secretary, shall from time to time, require to be produced to them, and the said Committee on Lunacy, or their Secretary, may sign the said books as having been produced to them.

(25) The Committee on Lunacy, or their Secretary, appointed under the said act, visitng any house or place, coming under the provisious thereof, shall carefully consider, and give attention to, the state of mind of any patient therein confined, as to the propriety of whose detention they shall have doubt, (or to whose sanity their attention shall be specially called), and shall, if they shall think that the insanity of such patient be doubtful, and that the propriety of his or her detention require further consideration, make and sign a minute thereof in the Case Book of such house, and send a true and perfect copy of every such minute to the proprietor, or superintendent, of such house; and if such inspections have been made by the county visitors, a copy of said minute shall be sent immediately to the Committee on Lunacy.

Committee on Lunacy or their Secretary to make entries in Case Book as to the state of mind of any doubtful patient, and the same to be transmitted to Committee on Lunacy, if made by county visitors.

(26) The members of families of patients, their personal friends, agents, or attorneys, shall be permitted to visit them once in every two weeks, unless the medical officer shall consider the visit likely to be injurious to such patient, or otherwise inexpedient, in which case he shall so state in writing, if requested giving his reasons therefor, and a copy of such writing shall be given to every visitor, if requested, who is refused a personal interview with the patient.

Visits to patients.

In case of the illness of a patient, or if the friends come from a distant place, or are unable to come on a week day, such friends shall be permitted to visit on Sundays, during the space of two hours, to be fixed by the Superintendent.

All Directors or Overseers of the Poor are encouraged to visit patients, belonging to their respective districts, once in every three months, or oftener, on a week day; and to make particular inquiries, from time to time, as to the treatment experienced by the patients, and their fitness for discharge.

At every visit made by a male relative, or friend or director or overseer of poor, to a female patient, the matron, or a female attendant, shall accompany the visitor or visitors, and remain in the room throughout the interview, except by special permission in writing by the Superintendent.

Persons disqualified to act as visitors.

(27) No person shall be appointed or act as visitor who shall be directly, or indirectly, financially interested in any house, or place, licensed for the reception of insane, and no physician (being a visitor) shall sign any certificate for the admission of any patient into any house, or place, or shall professionally attend upon any patient, in any such house, or place, unless he be directed to visit such patient by the person upon whose order such patient had been received into such house, or place, or by the Committee on Lunacy; and if any visitor shall, after his appointment, be, or become financially interested in any house or place for the reception of the insane, such visitor shall, thereupon be disqualified from acting, and shall cease to be a visitor.

Correspondence of insane patients.

(28) Every letter written (not oftener than once a month), by any patient, in any house, or place, subject to the provisions of the Lunacy Law, and addressed to his counsel or any member of the Committee on Lunacy, or their Secretary, shall be forwarded forthwith, unopened and without inspection.

Whenever an inmate of a house, or place, subject to the provisions of the Lunacy Law, has a guardian or committee of his or her person, or estate, lawfully appointed, any mail matter addressed to such committee, or guardian, shall be immediately forwarded unopened and without inspection, unless the guardian or committee shall, in writing, instruct the Superintendent to hold such letters.

Every letter written by a patient in any such house or place, and addressed to any person other than the Committee on Lunacy, or their Secretary, or lawfully appointed guardian, or committee, or his counsel, shall be forthwith forwarded to the person to whom it is addressed, unless the superintendent or proprietor of such house, or place, shall for sufficient reasons, prohibit the forwarding of such letter.

All communications from patients, in any house, or place, subject to the provisions of the Lunacy Law, addressed to the Superintendent of said house or place, shall be replied to, either personally, or in writing, unless the character of the communication shall indicate this to be unnecessary.

No letters of patients shall be suppressed except those which are obscene, profane, or evidently improperly addressed.

(29) Any person having the authority to order the discharge of any patient, from any house, or place, subject to the provisions of the Lunacy Law, may with the previous consent, according to form (N), of any two, or of the Secretary and one member of the Committee on Lunacy, direct by an order, according to form (O), the transfer of such patient to any other such house or place; and every such order and consent shall be made and given in duplicate, one copy of which shall be delivered to the Superintendent, or Proprietor, of the house, or place, from which the patient is ordered to be transferred, and the other copy shall be delivered to the Superintendent or Proprietor of the house or place into which the patient is ordered to be transferred; and such order for transfer, together with such consent, shall be sufficient authority for the transfer of such patient, and also for his or her reception into the house, or place, into which he or she is ordered to be removed, and the Committee on Lunacy, may, in its discretion, transfer patients from one hospital, or place of detention, to another.

Transfer or removal of patients from one house or place to another with consent of Committee.

Committee may order transfers in its discretion.

A copy of the order and certificate upon which such patient was received into the house, or place, from which he or she is transferred, shall be furnished free of expense, by the Superintendent, or Proprietor, of such house, or place, to the Superintendent or Proprietor of the house, or place, to which such patient is transferred.

Patients legally committed can be transferred from one hospital to another by order of Committee on Lunacy without re-examination.

(30) When a patient has been legally committed to any hospital, or house of detention for the insane, and shall by the Committee on Lunacy be transferred to another hospital, or house of detention, or with the consent of the Committee on Lunacy transferred, such patient may be received by the authorities of any hospital, or house of detention for the insane, to which the transfer is made, without the examination and certificate provided by section 18, of the Lunacy Act: Provided, That such patient shall have been continuously in the custody or control of a hospital, or place for the detention of the insane until the transfer is made.

Medical history to be furnished.

Provided further, That a complete and full history of the patient, and his or her mental condition shall be forwarded by the Medical Superintendent of the hospital from which the patient is transferred to the Medical Superintendent of the hospital to which the patient is sent.

Indigent insane not to be discharged except by order of Committee on Lunacy.

(31) No indigent insane patient, who, in the opinion of the medical officer, or attendant, is unimproved in mental condition, shall be discharged from any house, or place, subject to the provisions of the Lunacy Law, except by order of the Committee on Lunacy.

Discharge of dangerous patients restricted.

(32) No patient shall be discharged from any house, or place, subject to the provisions of the Lunacy Law, if the physician, by whom the same shall be kept, or who shall be the regular medical attendant thereof, shall, by writing under his hand, certify that, in his opinion, such a patient is dangerous, and unfit to be at large, unless by order of the Committee on Lunacy.

This rule shall not be construed as applying to private patients, whose relatives shall give satisfactory written guarantee that the patient shall be provided with proper attendants, and supervision at his or her home.

Patients may be granted temporary leave of absence, or parole.

(33) Upon written application of any person, who has signed the order for admission, or who made the last payment on account of any patient detained in any house, or place, subject to the provisions of the Lunacy Law, to grant temporary leave of absence for such patient, the superintendent may grant such temporary leave of absence, or, the superintendent may, on his own volition and discretion, grant such temporary leave, if, in his opinion, an advantage, and

no harm will arise therefrom: Provided, That in no case shall the permission extend beyond a period of sixty days, excepting when in the judgment of the superintendent granting the permission, it be deemed advisable to grant an extension of the temporary leave of absence, but this extension shall not extend beyond a period of thirty days, and, in all cases committed under the "Habit Act" of April 16, 1903, (as amended May 28, 1907), no parole shall be granted, except by order of the Court by whom the commitment was ordered.

Habit cases paroled only on Court order.

A patient who has been paroled or who has escaped, if not returned to the hospital upon expiration of parole, or within twelve months after escape, must be discharged from the books of the hospital on that day, and a notice of such discharge by parole or escape, forwarded to the Committee on Lunacy: Provided, That such patient has not been committed by a Court.

Discharge of paroled and escaped patients.

(34) The Superintendent, Proprietor, or Managers, of every hospital, house, or place, whether licensed or not, in which any person or persons are detained as insane, shall, on, or before the 15th day of June in each year, make an annual report to the Committee on Lunacy, embodying a statement of the operations of their respective hospitals, houses, or places, in which the insane are detained, for the twelve months preceding May 31, and of the movements of patients, with such statistical information and returns as are now required to be made by the Board of Public Charities; and also such additional information as the Committee on Lunacy, or their Secretary may, from time to time, require, together with such suggestions and recommendations as the said Superintendent, Proprietor, or Managers may deem desirable for the proper management of the affairs, and the good government of the institution, etc.

Annual reports to be made to Committee on Lunacy.

(35) In these rules and regulations the following words shall have the several meanings hereby assigned to them, unless there be something in the subject or context inconsistent with such meaning, that is to say: "Lunacy Law" shall mean the act approved May 8, 1883; "lunatic," or "insane," shall mean every person being of unsound mind; "indigent" means every person maintained wholly or in part at the expense

Definition of terms.

of any poor district of the Commonwealth; "private patient" means every patient not an indigent. The word "patient" means every person received or detained as insane or of unsound mind, or taken care and charge of as insane.

Rules and regulations to be hung up.

(36) A copy of these Rules and Regulations shall be kept hung up in the office of every Superintendent, Proprietor, Physician, and Supervisor of every hospital, where the insane are confined.

The names of committee to be posted.

(37) The names of the Committee, and the Secretary, with their addresses, shall be posted in a conspicuous place in every ward of every house, or place, where the insane are confined, on which notice there shall be printed in legible text:

EXTRACT FROM THE LUNACY LAW OF 1883.

"Section 28. All persons detained as insane shall be furnished with materials and reasonable opportunity, in the discretion of the superintendent or manager, for communicating under seal with any person without the building, and such communication shall be stamped and mailed. They shall have the unrestricted privilege of addressing communications, if they so desire, not oftener than once a month, to any member of the Committee on Lunacy.

"COMMITTEE ON LUNACY.

ISAAC JOHNSON, P. J., Media, Chairman.

GEORGE W. RYON, Shamokin.

PATRICK C. BOYLE, Oil City.

CYRUS B. KING, M. D., Pittsburgh.

EDWARD K. ROWLAND, Philadelphia.

FRANK WOODBURY, M. D., Philadelphia, Secretary.

"All communications relating to the insane (public or private patients) should be addressed to the Secretary of Committee on Lunacy, Board of Public Charities, 717-718 Bulletin Building, Philadelphia."

FORM D.—Order for the Reception of a Patient.

I, (or we), the undersigned, hereby request you to receive.....
, an insane person, as a patient into your house
 [or hospital] believing that such detention is necessary for h....
 benefit.

Subjoined is a statement respecting the said

(Signed)

Occupation,

Degree of relationship (if any) or other }
 circumstances of connection with the patient. }

Dated this day of, one thousand nine
 hundred

To, Proprietor [or Superintendent] of
[describe the house or hospital by situation and
 name, if any.]

FORM E.—Certificate of Physicians.

We, the undersigned, residents of Pennsylvania, hereby certify
 that we have, within one week prior to the respective dates here-
 inafter mentioned, at(insert the street and
 number of the house if any or like particulars), in the county of
 separately examined of
 (insert residence and profession or
 occupation, of any), and do verily believe that the said
 is insane, and that the disease is of a character which, in our opin-
 ion, requires that the person shall be placed in a hospital or other
 establishment, where the insane are detained for care and treat-
 ment.

We further certify that we are graduates of an incorporated med-
 ical college, and that we have been actually in the practice of medi-
 cine for at least five years, and that we are not related by blood or
 marriage to the said, nor in any way connected as
 a medical attendant or otherwise with the hospital or other estab-
 lishment in which it is proposed to place the aforesaid.

(Signed), M. D.

Residence,

Dated thisday ofone thousand nine
 hundred

(Signed), M. D.

Residence,

Dated thisday ofone thousand nine
 hundred

FROM THE LUNACY LAW OF 1883.

NOTE.—The certificate must be signed by at least two physicians and made within one week of the examination of the patient, and within two weeks of the time of the admission of the patient, and shall be duly sworn to or affirmed before a judge or magistrate of the Commonwealth of Pennsylvania, and of the county where such person has been examined, who shall certify to the genuineness of the signatures and to the standing and good repute of the signers. (The certificate of a Notary Public will not be accepted.)

And any person falsely certifying as aforesaid shall be guilty of a misdemeanor and also be liable civilly to the party aggrieved.

Certificate of Magistrate or Judicial Officer.

I,, a [judge or magistrate], of county, of the State of Pennsylvania, do certify that the foregoing certificate was duly sworn [or affirmed] to before me, by the above-named and on this day of 19...., that the signatures thereto are genuine, and that the signers are physicians of good standing and repute.

.....[Seal.]

FORM F.—Statement.

(If any particulars in this statetment be not known, the fact to be so stated).

1. Name of patient, with Christian or given name at length.
2. Sex and age.
3. Residence for the past year, or so much thereof as is known.
4. Occupation, trade or employment.
5. Parents, if living (names).
6. Single, Married or Widowed. Name of husband or wife, and address if living.
7. Children.
8. Brothers and sisters, and the residence of each of these persons.
9. If not more than one of these classes is known, the names and residences of such of the next degree of relations as are known.
10. A statement of the time at which insanity has been supposed to exist, and the conduct that induces the belief that insanity exists.
11. Name and address of all medical attendants of the patient during the last two years.

(Signed,) Name,

(When the person who signs the statement is not the person who signs the order, the following particulars concerning the person signing the statement are to be added, viz:)

Occupation, if any.

Residence.

Degree of relationship, if any, or other circumstances of connection with the patient.

FORM G.—(A). Notice of Admission.

I hereby give notice to the Committee on Lunacy that
 was admitted into this house(or hospital) as a (private
 criminal or indigent) patient on theday of....., and I
 hereby transmit a copy of the statements furnished at the time of
 said patient's reception.

Subjoined is a statement of the results of a medical examination
 made after the reception of the patient, with the opinion formed
 from said examination, and from documents received at the time
 of the patient's admission.

(Signed)

Superintendent (or proprietor) of

Dated this.....day of.....one thousand nine
 hundred and

FORM G.—(B). To be used in Habit Cases.

I hereby give notice to the Committee on Lunacy, that under the
 provisions of the act of May 28, 1907,.....was admitted
 into this house (or hospital) as a patient onday of
, and I hereby transmit a copy of commitment
 furnished at the time of said patient's reception.

Bodily condition—Good, impaired, feeble, critical.

(Signed),

Dated this.....day of.....one thousand
 nine hundred and.....

FORM H.—Statement.

I have this day seen and personally examined
 the patient mentioned in the above notice, and hereby certify that
 with respect to mental condition he (or she) is
 and with respect to bodily health and condition he (or she) is good,
 impaired, feeble, critical. (Erase condition not required).

(Signed),

Medical Superintendent (or) proprietor of

Dated thisday ofone thousand nine
 hundred and.....

FORM J.—Discharge Book, or Register of Discharges, Removals and Deaths.

Date of discharge or death.	Date of last admission.	Number in register of patients.	Christian and surname at length.	Age when discharged, removed, or died.	Color, i. e., white, black, mulatto.	Sex and Class.	Discharged, with result of Treatment.	Removed, Where to, With Result of Treatment.	Died.	Remarks.
						Male.	Improved.	On trial or visit.	To what hospital, house, or place.	
						Female.	Improved.	Unimproved.	Improved.	
						Male.	Improved.	Unimproved.	Unimproved.	
						Female.	Improved.	Unimproved.	Unimproved.	
						Male.	Improved.	Unimproved.	Unimproved.	
						Female.	Improved.	Unimproved.	Unimproved.	
						Male.	Improved.	Unimproved.	Unimproved.	
						Female.	Improved.	Unimproved.	Unimproved.	
						Male.	Improved.	Unimproved.	Unimproved.	
						Female.	Improved.	Unimproved.	Unimproved.	
						Male.	Improved.	Unimproved.	Unimproved.	
						Female.	Improved.	Unimproved.	Unimproved.	
						Male.	Improved.	Unimproved.	Unimproved.	
						Female.	Improved.	Unimproved.	Unimproved.	
						Male.	Improved.	Unimproved.	Unimproved.	
						Female.	Improved.	Unimproved.	Unimproved.	
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						Female.	Improved.	Unimproved.	Unimproved.	
						Male.	Improved.	Unimproved.	Unimproved.	
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						Male.	Improved.	Unimproved.	Unimproved.	
						Female.	Improved.	Unimproved.	Unimproved.	
						Male.	Improved.	Unimproved.	Unimproved.	
						Female.	Improved.	Unimproved.	Unimproved.	
						Male.	Improved.	Unimproved.	Unimproved.	

FORM K.—Notice of Discharge or Death.

I hereby give notice to the Committee on Lunacy, that
 a private (or indigent) patient, received into this house
 (or hospital) on the day of 19...., was
 discharged therefrom, restored (or improved, or not improved(by
 the authority of, (or died therein), on the
 day of

Superintendent (or proprietor) ofhouse
 (or hospital) at

Dated thisday of, 19....

In case of death add “And I further certify, that
 was present at the death of the said; and that
 the apparent cause of death of the said
 (ascertained by post-mortem examination, if so), was”

Note:—The Committee on Lunacy must be notified of all dis-
 charged within seven days thereafter—section 35, law 1883.

 FORM L.—Case Book, or Card Index and Portfolio.

The medical case book or card indices to be kept in every licensed house and hospital shall be in the form or manner hereinafter mentioned, and shall contain the following particulars (to be amplified in cases which appear to call for more extended details), viz:

First. A statement of the name, age, sex, race or color (i. e., white, black or mulatto, or other), and previous occupation of the patient; and whether married, single or widowed.

Second. An accurate description of the external appearance of the patient upon admission, of the habit of body and temperament; appearance of eyes; expression of countenance, and any peculiarity in the form of head; physical state of the vascular and respiratory organs, and of the abdominal viscera, and their respective functions; state of the pulse, tongue, skin, urine, &c., and the presence or absence, on admission, of bruises or other injuries to be noted.

Third. A description to be given of the phenomena of mental disorder; the manner and period of the attack, with a minute account of the symptoms, and the changes produced in the patient's temper or disposition; specifying whether the malady displays itself by any, and what, delusions, or by irrational conduct, or morbid or dangerous habits, or propensities; whether it has occasioned any failure of memory or understanding, or is connected with epilepsy, or ordinary paralysis, or by symptoms of general paralysis, such as tremulous movements of the tongue, defects of articulation, or weakness or unsteadiness of gait.

Fourth. Every particular shall be entered which can be obtained respecting the previous history of the patient; what are believed to have been the predisposing and exciting causes of the attack; what the previous habits, active or sedentary, temperate or otherwise; whether or not the patient has experienced any former attacks, and if so, at what periods; whether any relatives have been subject to insanity, and whether the present attack has been preceded by any premonitory symptoms, such as restlessness, unusual elevation or depression of spirits, or by any remarkable deviation from ordinary habits and conduct; and whether the patient has undergone any, (and if so, what) previous treatment, or has been subjected to personal restraint.

Fifth. During the first month after admission, entries shall be made at least once in every week, and oftener when the nature of the case requires it. Afterwards, in recent or curable cases, entries shall be made at least once in every month; and in chronic cases, subject to little variation, once in every three months.

In all cases an accurate record shall be kept of the medicines administered, and other remedies employed, with the results, and also of all injuries and accidents.

The several particulars, hereinbefore required to be recorded, shall be set forth in a manner so clear and distinct as to admit of being easily referred to, and extracted whenever the Committee on Lunacy shall so require.

A copy of this order shall be inserted at the commencement of the case book.

FORM M.—Medical Journal.

[illegible]

FORM N.—Consent to Transfer.

We, the undersigned, by authority of the Committee on Lunacy, hereby consent to the removal on or before theday of 19...., of....., a (private or indigent) patient in hospital (or house, &c.,) at, to.....(hospital or house, &c.,) at

Given under our hands thisday ofA. D. 19...
Chairman, } For Committee on Lunacy.
Secretary, }

FORM O.—Order to Transfer.

I, the undersigned, having authority to discharge, a private (or indigent*) patient in.....hospital (or house, &c.,) at, hereby order and direct that the said..... be removed therefrom to hospital (or house, &c.,) at

Given under my hand this day of, A. D. 19...

(Signed by the Applicant)

Residence)

FORM P.—Voluntary Commitment.

I hereby make application for admission as a voluntary patient into the, and commit myself for custodial care and medical treatment for a period of one month from the date hereof, to the said institution.

..... (Seal.)

Witnesses Present:

Friend of the Patient,

Medical Superintendent,

Dated,, 191...

*An indigent insane patient if unimproved can not be discharged or transferred without the consent of the Committee on Lunacy.

FORM Q.—Instructions to, and Statements Required from, the Committee of the Person or the Estate of any Person Found by Inquisition to be Insane.

The following instructions are sent by the Committee on Lunacy to the committee of the person of each lunatic on his appointment:

Committee on Lunacy,
Office, 717-718 Bulletin Bldg.,
Philadelphia,, 19..

Dear Sir:

The Committee on Lunacy direct me to request that you will have the goodness to fill up the answers to the inclosed papers as there directed, and return them without delay to this office.

I am further to request that you will give careful attention to the directions contained on the other side of this letter, and send to this office, from time to time, the communications there mentioned which are required to enable the Committee on Lunacy to discharge their duties.

Very respectfully, &c.,
..... Secretary.

To the Committee of the Person of the above-named lunatic.

[This paper to be kept as a memorandum of the communications which have to be made from time to time to the Committee on Lunacy.]

“In the Matter of a Person Found to be Insane or of Unsound Mind.”

Half yearly reports.

Reports to be made half yearly on the last days of May and November in each year, by the committee of the person of.....
.....and the habitual medical attendant (of any), giving information on the following points, namely:

1. The present residence of.
2. What the state of the bodily health during the past half year has been.
3. Any change which has occurred in the mental state. If no change has occurred, say so.
4. If any change in the treatment has been found necessary, mention it.
5. Add any special observation that you may have to make.

The Committee shall sign his name with his address, and the Medical Attendant shall do the same.

The Medical Attendant may make a separate report to accompany the report of the Committee.

If there is no habitual medical attendant, the report of the committee alone is required; but, in that case, let it state there is no habitual medical attendant.

Special Reports.

If any important change should take place in the health or condition, whether bodily or mental, of the lunatic, immediate notice thereof is to be transmitted to the Committee on Lunacy.

Change of Residence of the Lunatic.—If the lunatic should leave the present residence, whether permanently or only temporarily, immediate notice is to be sent to this office of the place of residence, with such particulars as may enable the visitors or Committee on Lunacy to find it without difficulty.

Death of the Lunatic.—Immediate notice of this event is to be sent with the report of the medical attendant, as to the day and cause of the death.

[Paper referred to in the foregoing letter.]

In the matter of, a person found to be insane or of unsound mind, the Committee is requested to supply answers to the following inquiries, (sign and return the paper to the Committee on Lunacy).

State the name of the place in which the lunatic now resides, and the county.

If in a city or town, the name of the street and the number of the house.

And the name of occupant of house.

If not in town, the nearest town.

The distance from it to the lunatic's house.

The name of the road or railway station on or near which the residence is.

The nearest inn or public building.

State also the name of person or committee having the care of the lunatic.

His or their address.

The name of medical attendant.

His address.

Signature of Committee.

Address.

Date.

Form of Summons.

We, the Committee on Lunacy, [or, we whose names are hereunto set and seals affixed, being two of the Committee on Lunacy, or visitors], appointed under or by virtue of an act approved May 8, 1883, entitled "An act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention," do hereby summon and require you personally to appear before us, atin the county of onnext, the day of at the hour of in the noon of the same day, and then and there to be examined and to testify the truth touching certain matters relating to the execution of the said act.

Given under our hands and seals this day of, 19....

AUTHORIZATION OF RULES AND REGULATIONS

I do hereby certify that at the regular quarterly meeting of the Board of Public Charities of the State of Pennsylvania, held at Harrisburg, September 14th, 1910, the foregoing Rules and Regulations were ordained, subject to the consent of the Chief Justice of the Supreme Court, and of the Attorney General of Pennsylvania.

September 14, 1910. (Signed) FRANCIS J. TORRANCE,
President Board of Public Charities.

I have examined the foregoing rules, and hereby consent and approve their adoption.

November 4, 1910. D. NEWLIN FELL,
Chief Justice of Penna.

I have examined the foregoing rules, and hereby consent and approve their adoption.

November 4, 1910. M. HAMPTON TODD,
Attorney General of Penna.

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